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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Steven A. ROGERS

Serial No. 10/663,378

Filed: September 17, 2003

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Group Art Unit: 2151

Docket No. 006389.00002

Confirmation No: 2690

Examiner: TBA

For: EMPIRICAL SCHEDULING OF NETWORK PACKETS

INFORMATION DISCLOSURE STATEMENT

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Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

Pursuant to 37 C.F.R. § 1.56 and in compliance with 37 C.F.R. § 1.97, Applicant submits herewith Form PTO/SB/08, identifying information for consideration by the Examiner.

Applicant does not waive any rights to take appropriate action to establish patentability over the listed documents should they be applied as a reference against the claims of the present application.

Consideration of the cited information and making the same of record in the prosecution of the above-noted application are respectfully requested. Should the Patent and Trademark Office determine that a fee is required, please charge our Deposit Account No. 19-0733.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Dated: Feb. 22
January 29, 2007By: 

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STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

Application Number	10/663,378
Filing Date	September 17, 2003
First Named Inventor	Steven A. Rogers
Art Unit	2151
Examiner Name	TBA
Attorney Docket Number	006389.00002

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
	1	US- 6,480,506	11-12-2002	GUBBI	
	2	US- 2005/0058083	03-17-2005	ROGERS	
	3	US- 2005/0086362	04-21-2005	ROGERS	
		US-			
		US-			
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FOREIGN PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	4	PCT International Search Report May 24, 2006.	

Examiner
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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